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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

POW NEVADA, LLC,

Plaintiff,  
v.

DOE 2, et al.,

Defendants.

Case No. C17-1649RSM

ORDER TO SHOW CAUSE

This matter was filed on November 3, 2017. *See* Dkt. #1. Plaintiff POW Nevada, LLC, (“POW”) alleges twelve Doe Defendants participated in the same BitTorrent “swarm” to infringe the same unique copy of the movie *Revolt*. *Id.* ¶¶ 10–14. Because the identities of the Doe Defendants are unknown, POW has filed a motion to expedite discovery. Dkt. #4. The Doe Defendants are represented by Internet Protocol (“IP”) addresses which allegedly demonstrate that the Doe Defendants participated in on-line sharing of the movie *Revolt* between 12:19 a.m. on September 22, 2017, and 9:24 a.m. on September 27, 2017. Dkt. #1, Ex. B. Although the evidence of internet activity shows that hours, if not days, separated each defendant’s allegedly infringing conduct, POW alleges that all twelve Doe Defendants participated in a single BitTorrent “swarm,”

1 and that the “swarm” aspect of their alleged file-sharing justifies joinder of these defendants in a  
2 single lawsuit. *See id.* ¶¶ 18–24.

3 Although this is the second case filed by POW, its counsel has filed dozens of BitTorrent  
4 cases against hundreds of doe defendants in this District. As the Court becomes more familiar  
5 with these BitTorrent cases, concern about the potential for abuse in these matters has arisen. *See,*  
6 *e.g., Venice PI, LLC v. Doe 1, et al.,* Case No. C17-988TSZ, Dkt. #27 ¶¶ 2 n.1 and 3. POW’s  
7 counsel’s actions in this district are of particular concern, and the Court questions the propriety of  
8 POW’s efforts to join several doe defendants in a single matter. *See id.; also Cobbler Nevada,*  
9 *LLC v. Kevin James,* Case No. C15-1430-TSZ, Dkt. #78. Given these concerns, and having  
10 reviewed the record in this and related cases, the Court hereby ORDERS as follows:  
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- 13 1. Plaintiff shall, within fourteen days of this Order, show cause in writing why the  
14 Court should not: (1) sever all defendants except the first defendant in this case;  
15 and (2) dismiss the remaining defendants without prejudice.

16 IT IS SO ORDERED.

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18 Dated this 27 day of November, 2017

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22 RICARDO S. MARTINEZ  
23 CHIEF UNITED STATES DISTRICT JUDGE  
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